

REMARKS:

Claims 1-34 are pending in the present application. Applicants note with appreciation that claims 3-5, 9, 17, and 29-31 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, Applicants believe that all of the claims are in condition for allowance, and therefore claims 3-5, 9, 17, and 29-31 do not need to be rewritten.

The present application is claiming priority to two applications, namely, International Application No. PCT/EP99/06788, filed September 14, 1999, which claims priority from International Application No. PCT/EP99/03903, filed May 1, 1999. Applicants request that the examiner confirm that the U.S.P.T.O. received both priority documents. Applicants amended the specification to add a cross-reference to related applications for consistency with the declaration as originally filed.

Claims 1, 2, 6-8, 10-16, 18-28, and 32-34 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,345,188 to Keskitalo et al. ("Keskitalo"). Applicants respectfully traverse the rejection.

Claim 1 provides a method of directional communication between a first station and a second station. The method includes "selecting at said first station at least one of said beam directions for transmission of a signal from said first station to said second station, wherein the selection of the at least one direction for transmission is such that successive signals or groups of signals are transmitted in substantially different directions and such that on average each beam direction available to said first station is used a substantially equal number of times."

Keskitalo is related to transmitting a transmission signal from a base station to a mobile unit based on information received from the mobile unit (Abstract). A signal is received at the different antennas of a base station array, and the signal components of this signal determines the quality of the received signal direction from the mobile (Abstract). In Keskitalo, a receiver of the base station monitors the received signal in both angle and time domain in order to detect the direction from which the best signal component of the mobile is received (Column 6, lines 1-36). This information is used in such a way that the angles of the greatest quality of the antenna to transmit to the mobile

is pointing in the desired direction (Column 6, lines 53-68). The angles of arrival are measured from the received signal and then used in the selection of a specific transmission direction, which purportedly improves signal quality (Column 7, lines 8-17). Thus, in Keskitalo, the beam direction for transmission is based on the direction of the best signal component received from the mobile station.

Whereas, in Keskitalo, the beam direction for transmission in Keskitalo is selected based on the direction of the best signal component received from the mobile station. Keskitalo does not disclose, teach or suggest **“successive signals being transmitted in substantially different directions”** and **“on average each beam being used a substantially equal number of times,”** as recited in claim 1.

Therefore, Applicants submit that Keskitalo does not expressly or inherently describe all of the elements set forth in claim 1, and thus, Keskitalo does not anticipate claim 1.

Claims 2, 6-8, 10-16, 18-28 and 30-33 depend from claim 1. By virtue of their dependencies, claims 2, 6-8, 10-16, 18-28, and 30-33 are patentable over Keskitalo.


Claim 34 includes a recital similar to that of claim 1, as discussed above. Therefore, for reasoning similar to that provided in support of claim 1, Applicants submit that Keskitalo does not anticipate claim 34.

Applicants respectfully request reconsideration and withdrawal of the section 102(e) rejections of claims 1-2, 6-8, 10-16, 18-28, and 32-34.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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